

NICHOLAS TRUTANICH
United States Attorney
District of Nevada
Nevada Bar Number 13644
MELANEE SMITH
Assistant United States Attorney
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada 89101
PHONE: (702) 388-6336
melanee.smith@usdoj.gov
Attorneys for the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN FIGGERS,

Defendant.

Case No.: 2:20-mj-00302-DJA

**ORDER TO CONTINUE
PRELIMINARY HEARING**
(Third Request)

IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A. Trutanich, United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, counsel for Kevin Figgers, that the Preliminary Hearing currently scheduled on August 21, 2020 at 4:00 p.m., be vacated and continued to a date and time convenient for the Court, but no earlier than sixty (60) days.

The Stipulation is entered into for the following reasons:

1. The parties are involved in discussions and may possibly negotiate this case which may obviate the needs for a preliminary hearing.
2. The defendant is incarcerated and does not object to the continuance.
3. The parties agree to the continuance.

1 4. The additional time requested by this stipulation is excludable in computing the
2 time within which the indictment must be filed pursuant to the Speedy Trial Act, Title 18, United
3 States Code, Section 3161(b), considering the factors under Title 18, United States Code, Section
4 3161(h)(7)(A) and (B)(i) and (iv). The additional time requested by this stipulation also is
5 excludable in computing the 90-day speedy trial clock imposed by the Speedy Trial Act, Title 18,
6 United States Code, Section 3161(c), considering the factors under Title 18, United States Code,
7 Section 3161(h)(7)(A) and (B)(i) and (iv).

8 5. This continuance is not sought for purposes of delay, but to account for the Court's
9 limited resources and the necessary social-distancing in light of the COVID-19 public health
10 emergency.

11 6. Denial of this request could result in a miscarriage of justice, and the ends of justice
12 served by granting this request outweigh the best interest of the public and the defendant in a
13 speedy trial.

14 This is the third stipulation to continue filed herein.

15 DATED: This 19th day of August, 2020.

16 RENE L. VALLADARES
17 Federal Public Defender

18 */s/ Nisha Brooks-Whittington*
19 By _____
20 NISHA BROOKS-WHITTINGTON
21 Assistant Federal Public Defender

22 NICHOLAS A. TRUTANICH
23 United States Attorney

24 */s/ Melanee Smith*
25 By _____
26 MELANEE SMITH
27 Assistant United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN FIGGERS,

Defendant.

Case No.: 2:20-mj-00302-DJA

ORDER

IT IS ORDERED that the Preliminary hearing currently scheduled for Friday, August 21, 2020 at 4:00 p.m., be vacated and continued to October 26, 2020, at the hour of 4:00 p.m. in Courtroom 3A.

DATED this 19th day of August 2020.



DANIEL J. ALBREGTS, U.S. Magistrate Judge